

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 11-2343 (DSD/TNL)

Anne Ness,

Plaintiff,

v.

ORDER

GGNSC Rush City LLC
doing business as Golden
Living Center-Rush City,

Defendant.

This matter is before the court sua sponte. Defendant GGNCS Rush City LLC (GGNSC) removed this action from Minnesota state court pursuant to 28 U.S.C. § 1332, which requires complete diversity of citizenship. "Federal courts are courts of limited, not general jurisdiction," and as a result the court "has a special obligation to consider its own jurisdiction." Thomas v. Basham, 931 F.2d 521, 522 (8th Cir. 1991). The removing party bears the burden to establish the existence of subject-matter jurisdiction. See Altimore v. Mount Mercy Coll., 420 F.3d 763, 768 (8th Cir. 2005).

GGNSC states that it "is a limited liability company organized and existing under the laws of the state of Delaware, having its principal place of business in Fort Smith, Arkansas." Notice of Removal ¶ 4. The citizenship of a limited-liability company, however, is the citizenship of all of its members, not its state of organization or principal place of business. See GMAC Commercial

Credit LLC v. Dillard Dept. Stores, 357 F.3d 827, 829 (8th Cir. 2004). Therefore, the notice of removal fails to state the citizenship of GGNSC. Accordingly, **IT IS HEREBY ORDERED** that on or before August 23, 2011, GGNSC shall file a brief showing cause, if any, why the court should not summarily remand this action to the state court.

Dated: August 17, 2011

s/ David S. Doty

David S. Doty, Judge
United States District Court